

BEFORE THE

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Federal Communications Commission

WASHINGTON, D.C.

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JUL 25 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

IN THE MATTER OF:

AMENDMENT OF SECTION 73.202(b)
TABLE OF ALLOTMENTS
FM BROADCAST STATION
(BRIGHTWOOD, OREGON)

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)
)
)
)
)

MM Docket No. 00-87
RM-9870

To: John Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

REPLY IN OPPOSITION TO COUNTERPROPOSAL OF MADRAS BROADCASTING

Muddy Broadcasting Company ("MBC"), by its counsel, hereby replies in opposition to the Counterproposal filed by Madras Broadcasting on July 10, 2000. Madras Broadcasting seeks to have Channel 251C1 allocated to Madras, Oregon, instead of having Channel 251C3 allocated to Brightwood, Oregon, as sought by MBC in its original Petition for Rulemaking filed on March 16, 2000. The Madras Broadcasting proposal would require two channel substitutions: Channel 252C3 at Bend, Oregon, would be replaced by Channel 253C3, and Channel 254C3 at Prineville, Oregon, would be replaced by Channel 255C3. The Bend allocation is currently on the air as KTWS(FM), which is owned by Combined Communications, Inc.

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List A B C D E

I. PRELIMINARY STATEMENT

Both Brightwood and Madras qualify as communities deserving of a local transmission service under the Communications Act. While Brightwood currently lacks any local broadcast service; Madras does have FM and TV translators. Both communities have sufficient population, economic and cultural activity and local identity to justify a local radio station. The public interest would best be served by accommodating new channel allotments at both Brightwood and Madras. To that end, MBC determined that both communities can be allotted first transmission services: Channel 251C3 can be allotted to Brightwood and any one of a number of vacant allotments can be allotted to Madras, none of which would require disruptive channel substitutions.

For the foregoing reasons, MBC requests the Commission to reject the Counterproposal of Madras Broadcasting and to grant Channel 251C3 to Brightwood, Oregon. MBC urges the Commission to simultaneously grant one of the several available alternate channels to Madras, Oregon¹ or entertain a subsequent Proposed Rulemaking from Madras Broadcasting or other parties for an alternate channel to serve Madras.

II. ARGUMENT

A. There Are No Other Channels That Could Be Allocated to Serve Brightwood

MBC performed an exhaustive engineering review for alternative channels to serve

¹The Commission itself has sought out additional available channels in order to accommodate two deserving communities and when an available channel was found, allotted the channel on their own motion. *See, e.g., Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lake Crystal, Madelia, Mankato, and Vernon Center, Minnesota)* 13 FCC Rcd. 5269 (1998) at paragraph 8.

Brightwood. No other channel can be allotted to Brightwood consistent with the Commission's Rules. Channel 251C3 is the last and only chance for a local radio station to serve Brightwood. Should the Commission approve the Madras proposal, it will effectively deprive the citizens of Brightwood from ever receiving a local broadcast transmission service.

B. There Are Several Other Channels That Could Be Allocated to Serve Madras

There are at least six other channels that can be allocated to serve Madras consistent with the Commission's Rules. Most of these alternate channels would provide better service to Madras, and/or would provide a larger population with primary service than that provided by the Madras Broadcasting Counterproposal. **Exhibit 1** shows the 60 and 70dBu coverage contours of the Counterproposal, based on a transmitter at the class power and height above average terrain ("HAAT").

1. Channel 291C1 can be allotted to Madras at reference coordinates of 44:37:05 North Latitude, 120:37:48 West Longitude, as shown by the allocation study in **Exhibit 2**. The short-spacing to KLOO-FM, Corvallis, Oregon, on channel 291C is moot, since KLOO-FM was ordered to move to Channel 292C by MM Docket 87-523, which also allocated Channel 290C2 to Vancouver, Washington. On Channel 291C, KLOO-FM is short spaced to KKLQ. The Commission has already granted a Construction Permit to KKLQ, Vancouver, Washington, on channel 290C1, based on the requirement that KLOO-FM would move to channel 292C before KKLQ commences operation. KKLQ is currently awaiting approval of a minor change to their construction permit (BMPH-981117IE). In any case, KLOO-FM *will* be moving to channel 292C, as they have already agreed to do. Therefore, KLOO-FM will be fully-spaced to this alternate Madras allotment site. **Exhibit 3** shows that this site would easily provide the required

70dBu signal coverage over the city of license, and would provide a very similar service area to the Madras Broadcasting Counterproposal.

MBC conducted a population study, using the “Popcount” services of Dataworld. Based on the 1990 census, 47,543 persons reside within the 60dBu contour of this alternate channel, and 23,218 persons reside within its 70dBu contour. A Dataworld study was also conducted by MBC on the Madras Broadcasting Counterproposal, which showed 38,826 persons within the 60dBu contour and 14,004 persons within the 70dBu contour.² It is clear that in comparing “apples to apples,” Channel 291C1 could provide service to considerably more people than the Madras Broadcasting Counterproposal.

2. Channel 291C2 can be allotted to Madras at a number of locations closer to Madras itself. One of these is 44:41:48N, 120:50:26W, near Blizzard Ridge, Oregon. An allocation study for this site is contained in **Exhibit 4**. **Exhibit 5** shows the 70dBu coverage over Madras.

3. Channel 227C3 can be allotted to Madras at a wide range of locations. One possible location is at 44:39:57N, 121:06:47W. This is the developed radio site of FM translator K285CV, 3.8km northeast of central Madras with line-of-sight to the community. **Exhibit 6** is an allocation study, while **Exhibit 7** shows the 70dBu coverage over Madras.

4. Channel 299C3 can be allotted to Madras at a site just north of Ashwood Road, 6.9km east of town. The coordinates are 44:37:44N, 121:02:29W. **Exhibit 8** contains an allocation study, while **Exhibit 9** shows the 70dBu coverage. As with Channel 227C3 above, a

²The Madras Broadcasting Counterproposal claims that the 60dBu signal “...will provide service to 56,614 persons...” at page 2, paragraph 3. Since Madras Broadcasting did not detail how, or from what source they arrived at this figure, MBC cannot immediately explain this discrepancy.

wide range of locations would be fully spaced.

5. Channel 293A can be allotted to Madras from a site 11.8 kilometers south of the community at 44:32:04, 121:09:26W, near the town of Culver. This is also a developed radio site with line-of-sight to Madras. **Exhibits 10 and 11** contain the allocation study and 70dBu coverage maps, respectively.

6. Channel 227A can be allotted to Madras at a wide variety of locations, including at the community's reference coordinates of 44:38:00N, 121:07:42W. **Exhibit 12** contains an allocation study at these coordinates. With a site within the city limits, the 70dBu contour would easily cover the entire city.

The list of available channels and locations enumerated above is not intended to be exhaustive, but amply demonstrates the plethora of possibilities that exist for a Madras allotment on channels other than 251C1. Thus, the Commission can make an allotment at Madras and allot Channel 251C3 to Brightwood.³

C. The Counterproposal Channel Substitutions Are Disruptive and Unnecessary

Given the abundance of alternate channels available to be allotted to Madras, MBC contends that ordering two channel substitutions, as would be required by the Madras Broadcasting Counterproposal, is neither prudent nor necessary. One of the channel changes involves on-the-air station KTWS, Bend, Oregon. Listener confusion and loss of listenership and revenue often results from such changes. Such a channel change, when not required to advance the purposes of the Act, cannot be in the public interest and is not in the interest of the

³See footnote 1, *supra*.

Bend community.

D. The Brightwood Allocation Would Serve Significantly More Population

Using a “real-world” installation with an antenna 18 meters above ground level, a Dataworld “Popcount” demonstrates that the Brightwood allocation would serve a population of 135,372 within its 60dBu contour⁴ - - three and a half times the population that would be served by the Madras Broadcasting Counterproposal.⁵ Thus, Brightwood is by far the superior proposal in terms of sheer coverage.

E. Brightwood Is One of Several Closely Clustered and Interdependent Communities, Which Should Be Considered When Comparing Community Sizes

As discussed in the original Petition for Rulemaking filed by MBC, Brightwood is part of a synergistic group of several tightly clustered contiguous communities, collectively known as “Hoodland,” which have a combined permanent population of approximately 4,777 persons.⁶ Up to 11,000 seasonal residents also live in the area⁷, for a total of nearly 15,000 persons. This

⁴Based on a facility at full class height and power at the reference coordinates, the Brightwood allocation proposed by Muddy Broadcasting Company would theoretically serve significantly more.

⁵See footnote 2 and accompanying text, *supra*.

⁶Demographics USA- ZIP Edition, 1999 - Data for a New Era; produced by Interactive Market Systems; Trade Dimension Publishers; based on extrapolations of US Census data, for population within the Brightwood, Welches, and Rhododendron zip codes: 97011, 97067, 97049. Nearly all of the population is located near U.S. Highway 26, within the Central Hoodland contiguous cluster.

⁷According to Hoodland Fire District estimates, based on the number of homes they currently service

compares favorably with the 3,443 persons listed for Madras (1990 census), and the population for the entire Madras county subdivision (its “metro area”) of 7,129 persons (1990 census).

F. Madras is not lacking in primary service.

Madras is served by the primary signals of at least 6 radio stations, with a 7th serving a portion of the community.⁸ Madras is also locally served by FM translator K285CV, and 5 TV translators.

G. The Madras Allocation Site May Not Be Suitable to Serve Madras

There is massive terrain blockage between the allocation site proposed in the Madras Broadcasting Counterproposal, and the community of Madras. The blockage, as shown in **Exhibit 13**, is so egregious as to call into question the site’s suitability. With a typical 60 meter (200 foot) tower, a “real-world” Longley-Rice point-to-point propagation study reveals that just 57.13dBu of signal strength would occur at the Madras reference coordinates at the center of town. No adjustments for vegetation or clutter losses were made. See **Exhibit 14** for the Longley Rice calculations. The Reference Site would require a massive 800 meter (2625 ft) tower to establish line-of-sight to Madras. The FAA presumes any tower over 2000 feet to constitute a hazard to air navigation.⁹ Thus, it is obvious that the reference site is unsuitable to serve the community of Madras.

⁸ Primary service is defined as 60dBu (1mv/m) for FM stations, and (per §73.182(d) for communities of at least 2,500 persons) 2.0mv/m for AM stations. The stations are: KXIX(FM), Bend OR, KSJJ(FM), Redmond, OR, KNLR(FM), Bend OR, KICE(AM), Bend OR, KWPK(FM) (formerly, KWEG(FM)), Warm Springs, OR, KWSO(FM)(NCE), Warm Springs, OR, and KQAK(FM), Bend OR

⁹ See 14 CFR § 77.17(c) (“A proposed structure or alteration to an existing structure that exceeds 2000 feet in height above the ground will be presumed to be a hazard...”).

III. CONCLUSIONS

Section 307(b) of the Communications Act of 1934, as amended, directs that the “Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several states and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.” 47 U.S.C. ' 307(b). Neither Brightwood nor Madras presently have a local transmission service. As demonstrated above, both communities qualify and are deserving of their first local transmission service and both can be accommodated, without disruption to existing service. While Channel 251C3 is the only available channel for Brightwood, numerous alternative channels are available to Madras. Furthermore, the allotment of Channel 251C3 at Brightwood is a more efficient use of valuable spectrum, as the Brightwood proposal will serve more people with more need of service.

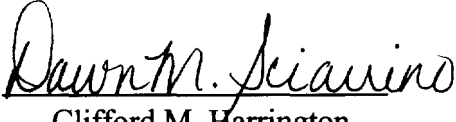
It is well within the Commission’s discretion to choose the alternative which will provide a first transmission service to both communities. *See Archilla-Marcocci Spanish Radio Company*, 104 FCC 2d 405 (1986) (the provision of first local transmission service to three smaller communities was preferred over first local to a community with a population greater than the three communities combined). The Commission can equitably and fairly distribute radio frequencies in this case by denying Madras Broadcasting’s Counter-proposal and allowing *both* communities an allotment -- Brightwood on Channel 251C3 and Madras on any one of the alternative available channels. *See Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Banks, Redmond, Sunriver and Corvallis, Oregon, et. al.)*, 13 FCC Rcd. 6596 (1998) (Channel 242C2 allotted to Sunriver in lieu of Channel 296C2 in order to allow first local transmission service at *both* Sunriver and Redmond, Oregon). Alternatively the

Commission can deny Madras Broadcasting's Counter-proposal on the basis that a Petition for Rulemaking for an allotment at Madras can be filed at anytime for any one of a number of available channels.

Therefore, MBC requests that the Commission reject the Counterproposal of Madras Broadcasting and allot Channel 251C3 to Brightwood, Oregon, while simultaneously granting one of the several available alternate channels to Madras, Oregon. Alternatively, MBC requests that the Commission reject the Counterproposal of Madras Broadcasting and allot Channel 251C3 to Brightwood, Oregon and thereafter entertain a subsequent Petition for Rulemaking from Madras Broadcasting or other parties for an alternate channel to serve Madras.

Respectfully submitted,

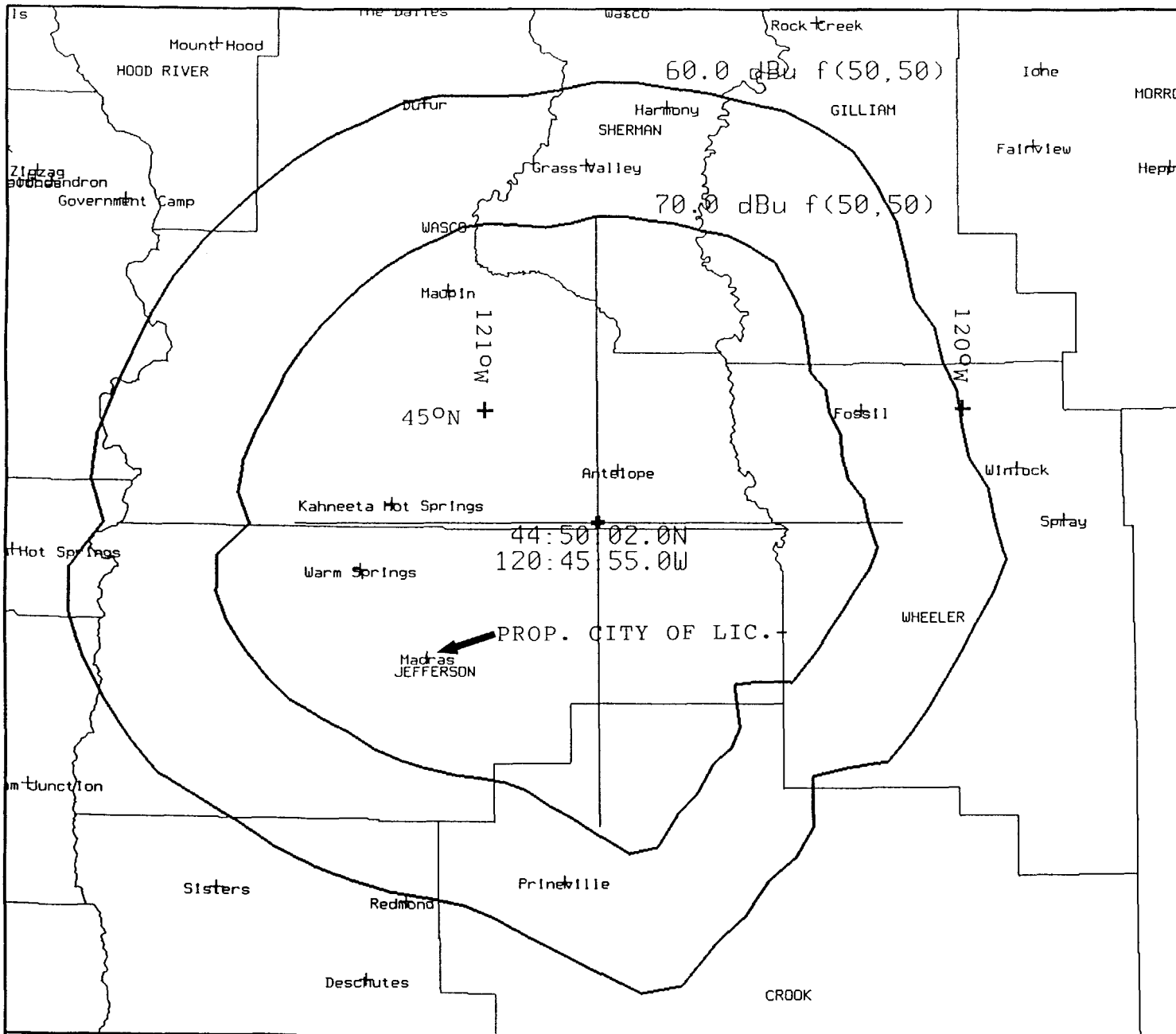
Muddy Broadcasting Company

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Date: July 25, 2000
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MADRAS BROADCASTING
COUNTERPROPOSAL
251C1-Full Class Facilities
July 15, 2000
job1460

Scale 1: 1000000.

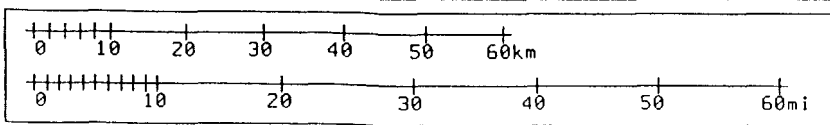


EXHIBIT 1

EXHIBIT 2
ALTERNATIVE ALLOTMENT CHANNEL FOR MADRAS
CHANNEL 291C1
(See text, section II(B)(1))

Channel 291C1 (106.1 MHz), at N. 44 37 5, W. 120 37 48.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
KCGBFM	Hood River	OR	288	A	L	140.0	75.0	329.4°	65.0
KQAK	Bend	OR	289	C1	L	82.0	82.0	222.9°	-0.0
ALC	Vancouver	WA	290	C1	U	177.2	177.0	301.6°	0.2
KKLQ	Vancouver	WA	290	C1	C	177.2	177.0	301.6°	0.2
KLOOFM	Corvallis	OR	291	C	L	209.5	270.0	270.8°	-60.5*
KBKS	Tacoma	WA	291	C	L	328.4	270.0	335.4°	58.4
KBKS	Tacoma	WA	291	C	L	337.2	270.0	342.0°	67.2
KBKS	Tacoma	WA	291	C	A	337.1	270.0	342.1°	67.1
KBNH	Homedale	ID	292	C	C	250.7	209.0	102.9°	41.7
ALC	Corvallis	OR	292	C	V	209.5	209.0	270.8°	0.5
NEW-T	Grizzly	OR	293	D	A	32.7	0.0	231.6°	32.7

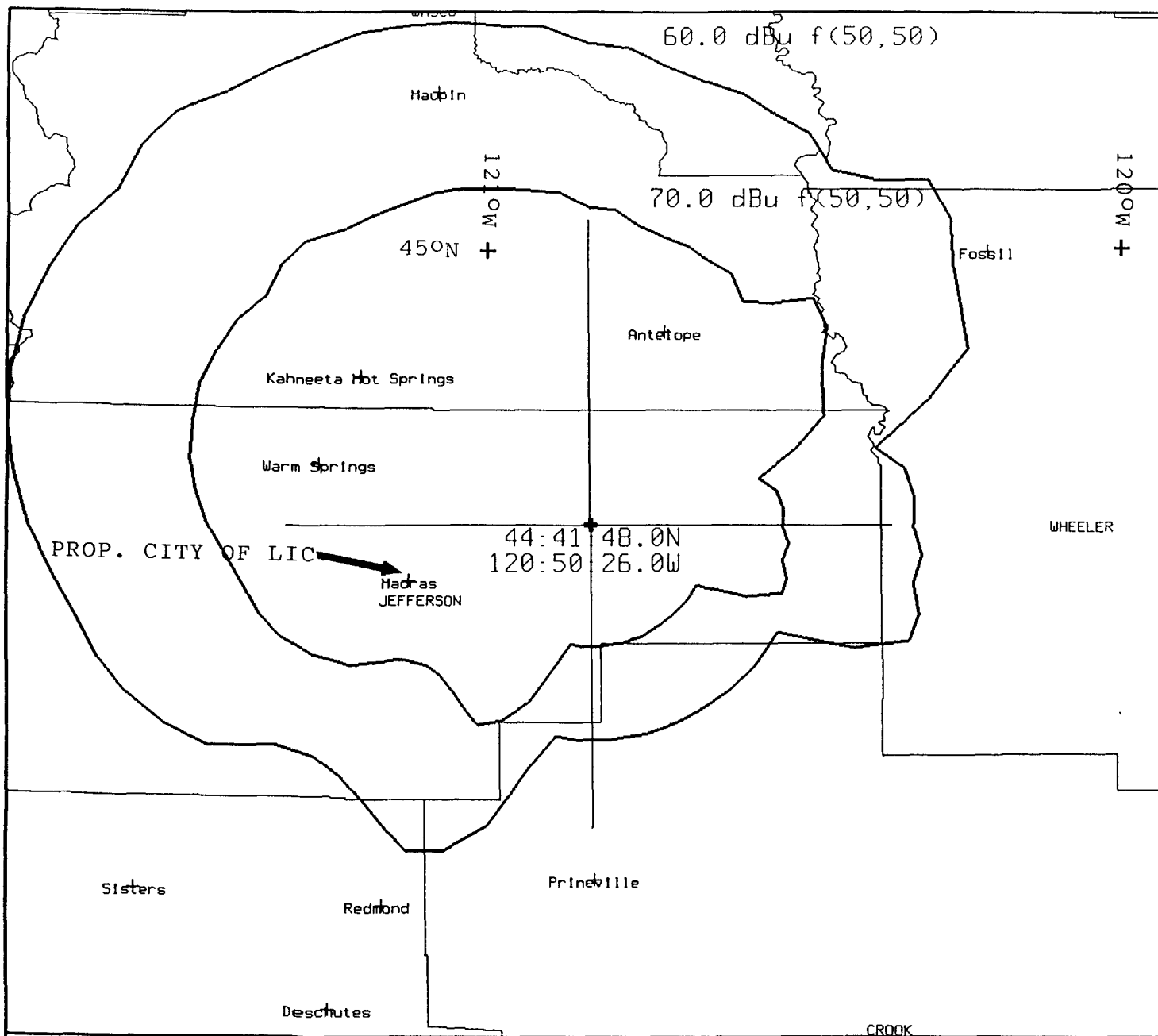
*This short-spacing is moot. KLOO-FM was ordered to Channel 292C by MM Docket 87-523, which allocated 290C2 to Vancouver, Washington (now upgraded to 290C1, as station KKLQ). KLOO-FM will be forced to complete their move to 292C before KKLQ (or a Madras allocation on this frequency) commences operation).

EXHIBIT 4
ALTERNATIVE ALLOTMENT CHANNEL FOR MADRAS
CHANNEL 291C2
NEAR BLIZZARD RIDGE, OREGON
(See text, section II(B)(2))

Channel 291C2 (106.1 MHz), at N. 44 41 48, W. 120 50 26.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
KCGBFM	Hood River	OR	288	A	L	124.4	55.0	333.9°	69.4
KQAK	Bend	OR	289	C1	L	79.1	79.0	209.6°	0.0
ALC	Vancouver	WA	290	C1	U	158.5	158.0	302.1°	0.5
KKLQ	Vancouver	WA	290	C1	C	158.5	158.0	302.1°	0.5
KLOOFM	Corvallis	OR	291	C	L	192.8	249.0	268.3°	-56.2*
KBKS	Tacoma	WA	291	C	L	313.9	249.0	337.4°	64.9
KBKS	Tacoma	WA	291	C	L	324.1	249.0	344.3°	75.1
KBKS	Tacoma	WA	291	C	A	324.1	249.0	344.4°	75.1
ALC	Corvallis	OR	292	C	V	192.8	188.0	268.3°	4.8
NEW-T	Grizzly	OR	293	D	A	30.4	0.0	197.0°	30.4
KKJZ	Lake Oswego	OR	294	C	C	174.4	105.0	301.5°	69.4
KKJZ	Lake Oswego	OR	294	C	L	174.6	105.0	301.4°	69.6

*This short-spacing is moot. KLOO-FM was ordered to Channel 292C by MM Docket 87-523, which allocated 290C2 to Vancouver, Washington (now upgraded to 290C1, as station KKLQ). KLOO-FM will be forced to complete their move to 292C before KKLQ (or a Madras allocation on this frequency) commences operation).



ALTERNATE MADRAS CHNL #2
 Channel 291C2
 July 15, 2000
 Job 1462

WHEELER

Scale 1: 750000.

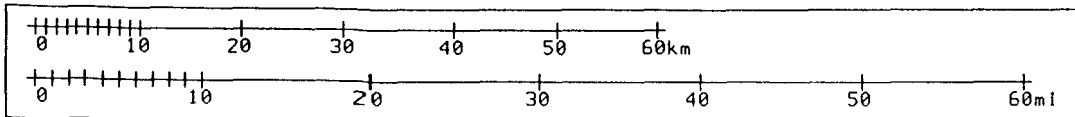


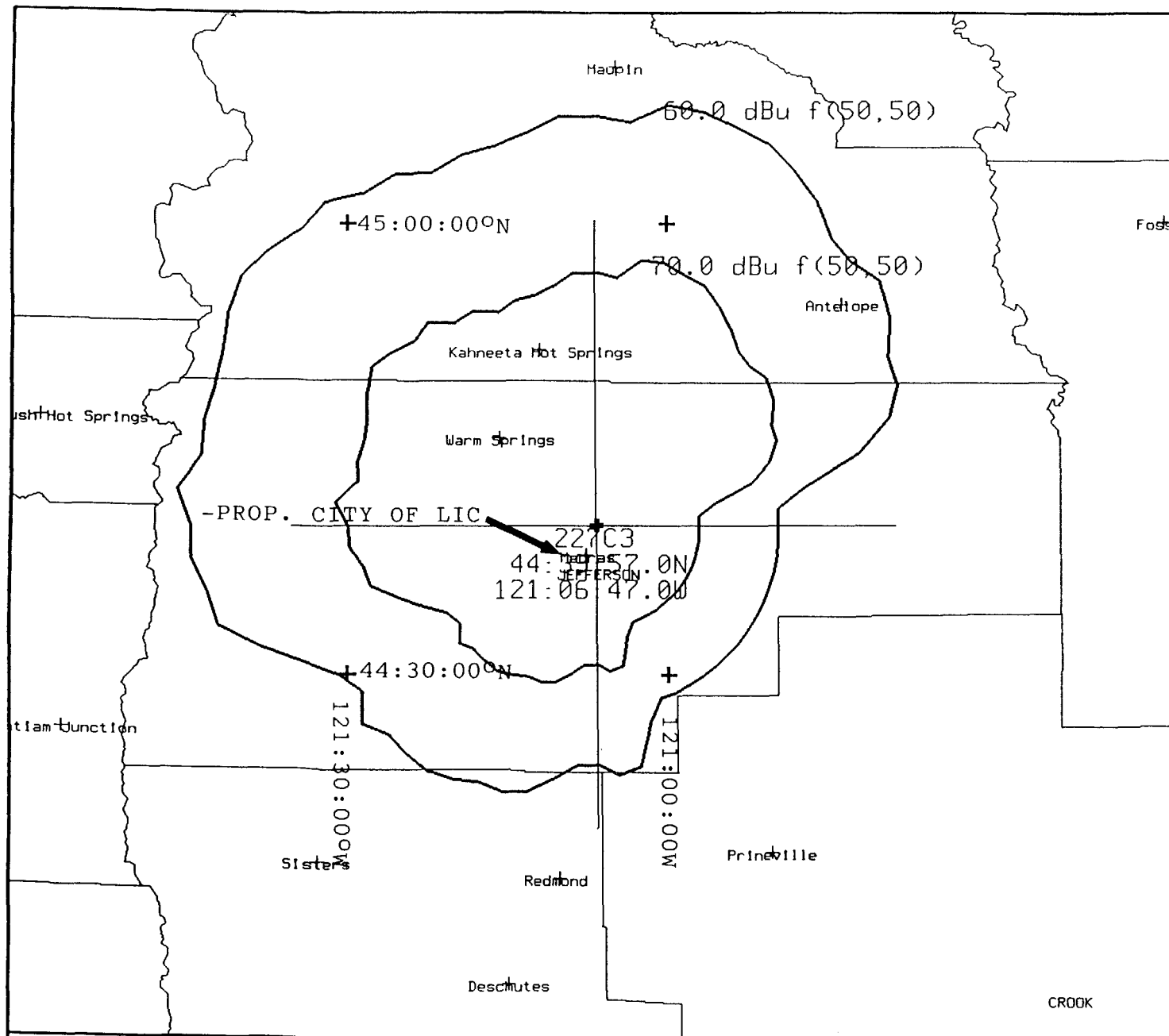
EXHIBIT 5

EXHIBIT 6
ALTERNATIVE ALLOTMENT CHANNEL FOR MADRAS
CHANNEL 227C3
AT K285CV SITE, 3.8km NE OF MADRAS, OR
(See text, section II(B)(3))

Channel 227C3 (93.3 MHz), at N. 44 39 57, W. 121 6 47.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Sunriver	OR	224	C2	V	94.0	56.0	199.2°	38.0
ALC	The Dalles	OR	224	C3	V	103.4	43.0	357.4°	60.4
K224AT	Redmond	OR	224	D	L	27.6	0.0	177.9°	27.6
NEW	The Dalles	OR	224	C3	A	109.9	43.0	353.2°	66.9
KKNU	Springfield-Eugene	OR	226	C	L	175.7	176.0	245.1°	-0.3*
KTWY	Walla Walla	WA	227	C1	L	273.3	211.0	57.5°	62.3
ALC	Condon	OR	228	A	V	97.0	89.0	49.0°	8.0
KPDQFM	Portland	OR	229	C	L	154.5	96.0	306.3°	58.5
K280BD	Prineville	OR	280	D	L	28.7	0.0	153.5°	28.7
ALC	Sisters	OR	281	C1	V	67.6	24.0	194.9°	43.6
KPXA	Sisters	OR	281	C1	A	67.6	24.0	194.9°	43.6
KPXA	Sisters	OR	281	A	C	68.0	12.0	212.8°	56.0

*Per FCC Rules §73.208(c)(8), separations are to be rounded to the nearest kilometer. On that basis, this site is fully spaced.



ALTERNATE MADRAS CHNL #3
 Channel 227C3
 K2B5CV Site-NE of Madras
 July 15, 2000
 job1466

Scale 1: 750000.

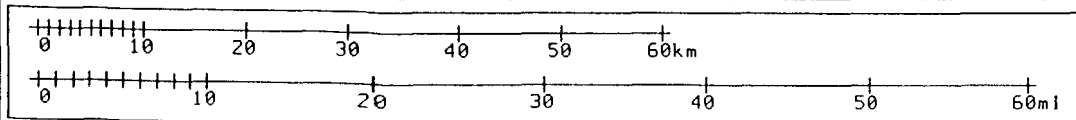


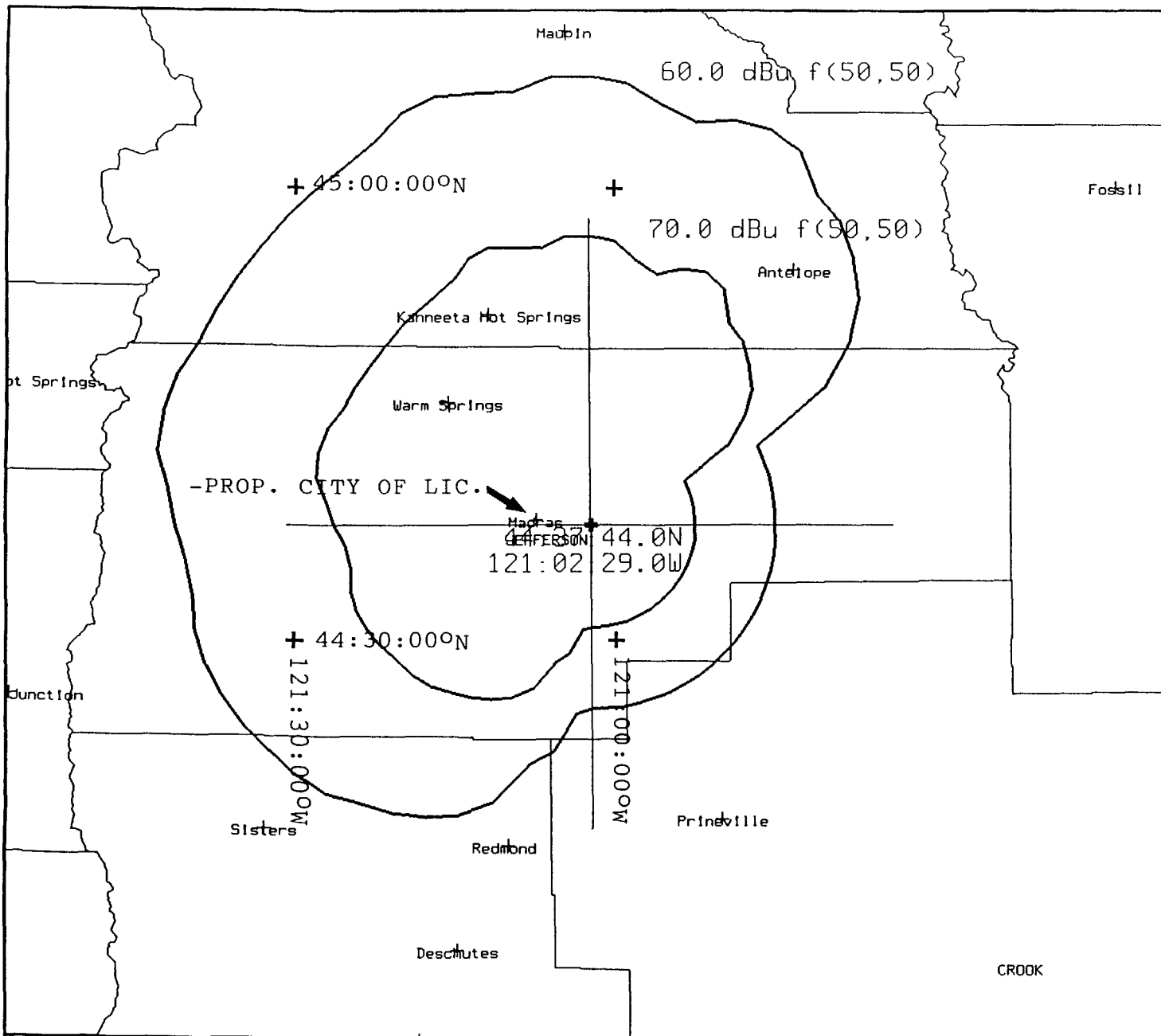
EXHIBIT 8
ALTERNATIVE ALLOTMENT CHANNEL FOR MADRAS
CHANNEL 299C3

At Ashwood Road Site, 6.9km east of Madras, OR
(See text, section II(B)(4))

Channel 299C3 (107.7 MHz), at N. 44 37 44, W. 121 2 29.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
NEW-T	Prineville	OR	245	D	A	22.4	0.0	161.8°	22.4
KLUVU	Sweet Home	OR	296	C1	L	123.5	76.0	262.5°	47.5
KVMX	Banks	OR	298	C2	D	167.4	117.0	306.4°	50.4
KVMX	Banks	OR	298	C2	L	167.4	117.0	306.4°	50.4
KVMX	Banks	OR	298	C1	L	165.7	144.0	306.5°	21.7
KLRR	Redmond	OR	298	C2	D	65.5	117.0	200.8°	-51.5*
KLRR	Redmond	OR	298	C2	L	65.5	117.0	200.8°	-51.5*
KUMAFM	Pendleton	OR	299	C1	L	220.8	211.0	61.2°	9.8
KHPE	Albany	OR	300	C	L	176.8	176.0	270.6°	0.8

*These entries are outdated and moot. Under DA 98-612, KLRR was ordered to channel 269C2, and KVMX (then known as KBBT-FM) was upgraded to channel 298C1. KLRR completed their channel change nearly two years ago. KVMX subsequently upgraded their facilities to channel 298C1, and is now licenced with those facilities.



ALTERNATE MADRAS CHNL #4
 Channel 299C3
 Culver, OR
 July 15, 2000
 job1467

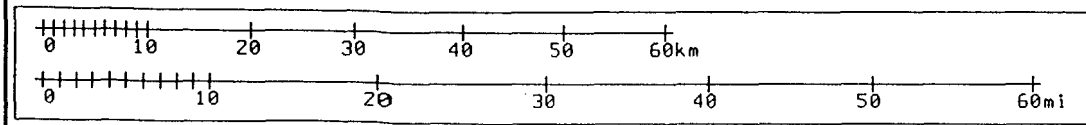
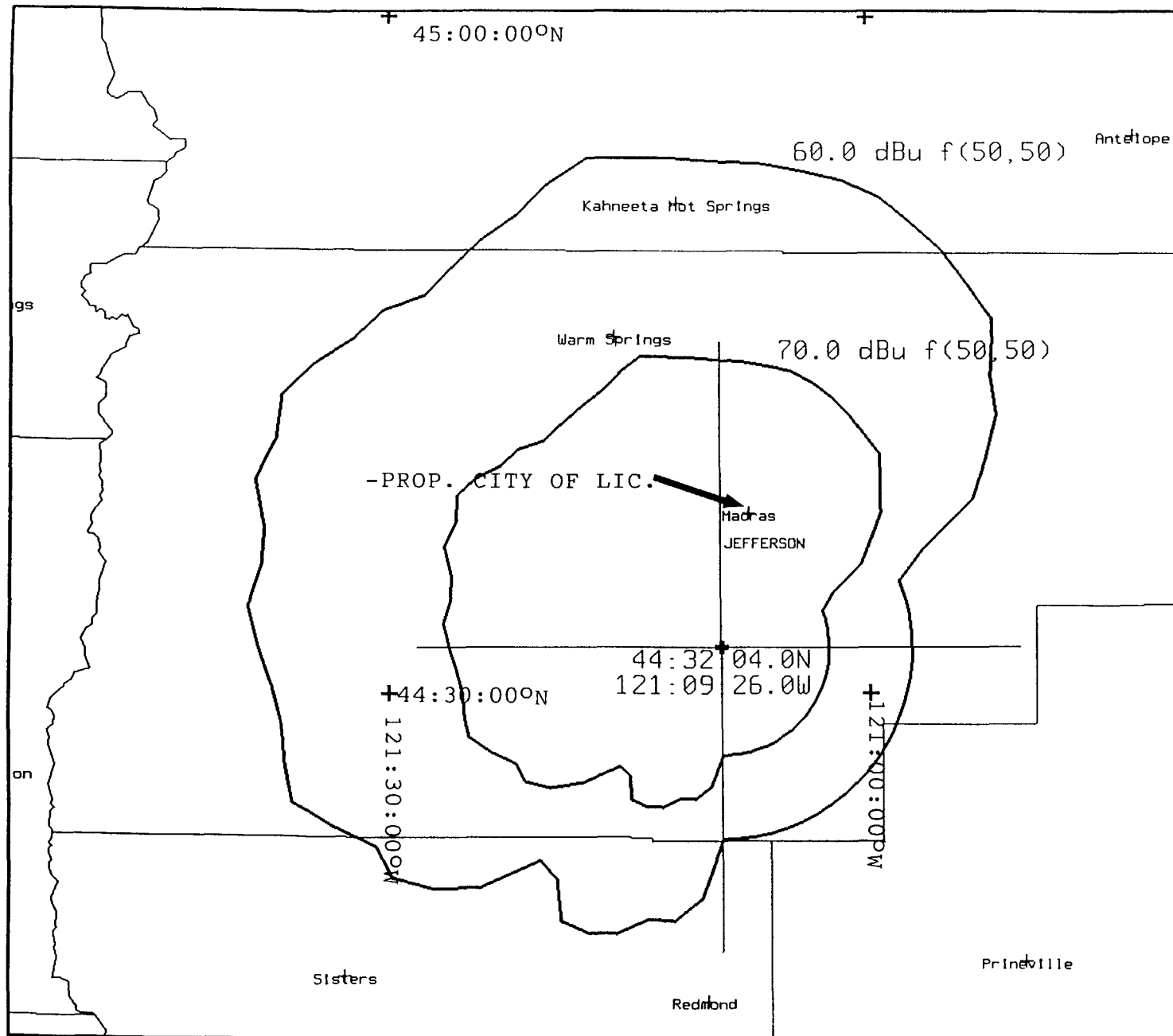


EXHIBIT 10
ALTERNATIVE ALLOTMENT CHANNEL FOR MADRAS
CHANNEL 293A

Near Culver, OR, 11.8km south of Madras, OR
(See text, section II(B)(5))

Channel 293A6 (106.5 MHz), at N. 44 32 4, W. 121 9 26.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
K240CG	Prineville	OR	240	D	L	19.5	0.0	123.4°	19.5
ALC	Vancouver	WA	290	C1	U	149.7	75.0	313.0°	74.7
KKLQ	Vancouver	WA	290	C1	C	149.7	75.0	313.0°	74.7
KLOOFM	Corvallis	OR	291	C	L	168.3	95.0	274.2°	73.3
ALC	Corvallis	OR	292	C	V	168.3	165.0	274.2°	3.3
NEW-T	Grizzly	OR	293	D	A	19.7	0.0	124.0°	19.7
KEGX	Richland	WA	293	C	L	232.2	226.0	41.6°	6.2
KKJZ	Lake Oswego	OR	294	C	C	165.2	165.0	311.3°	0.2
KKJZ	Lake Oswego	OR	294	C	L	165.3	165.0	311.3°	0.3
KLVU	Sweet Home	OR	296	C1	L	113.4	75.0	267.1°	38.4



ALTERNATE MADRAS CHNL #5
 Channel 293A
 Near Culver, OR
 July 15, 2000
 job1469

Scale 1: 500000.

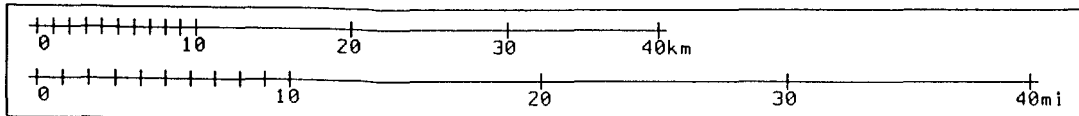


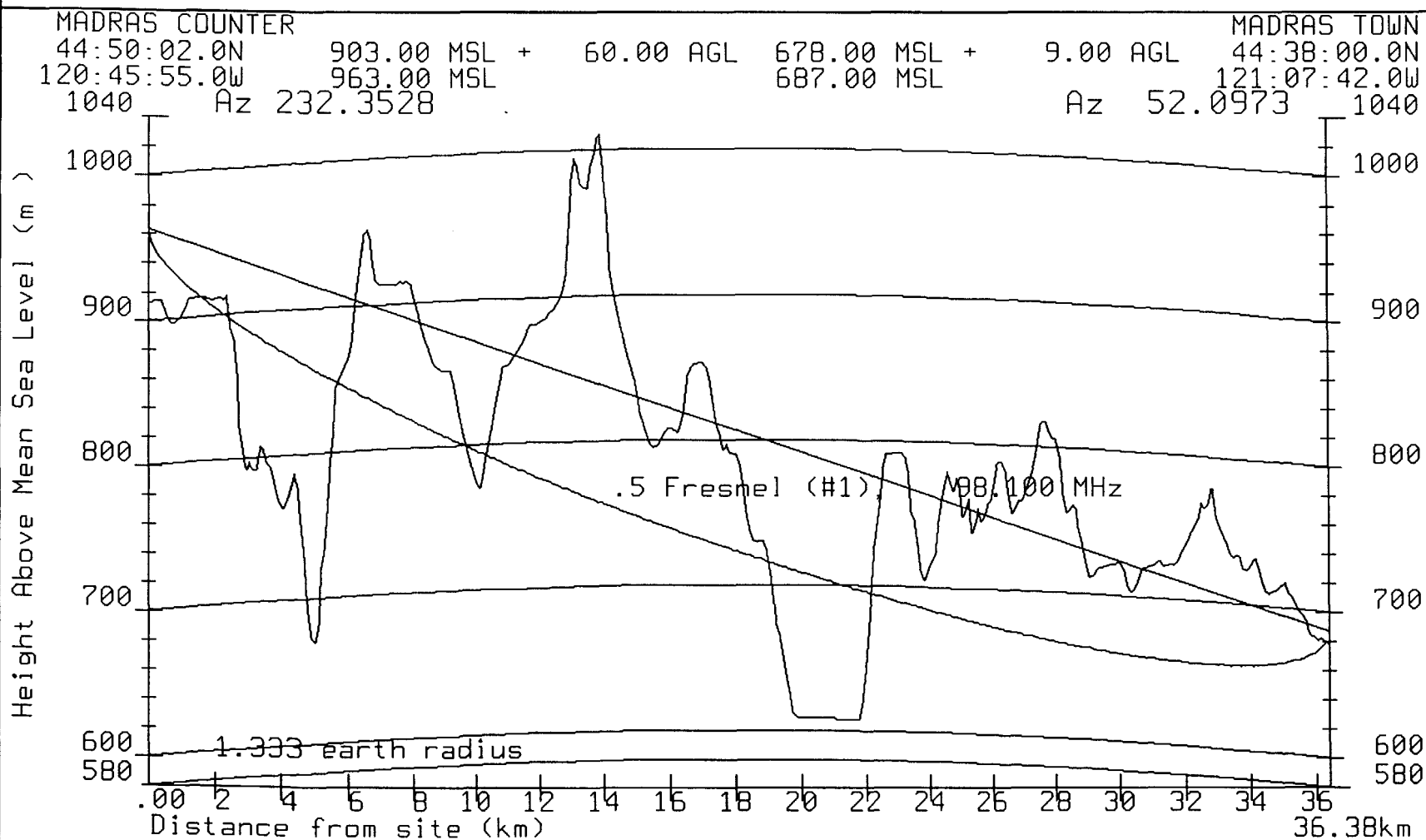
EXHIBIT 12
ALTERNATIVE ALLOTMENT CHANNEL FOR MADRAS
CHANNEL 227A

At Madras city reference coordinates
(See text, section II(B)(6))

Channel 227A6 (93.3 MHz), at N. 44 38 0, W. 121 7 42.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Sunriver	OR	224	C2	V	90.2	55.0	199.2°	35.2
ALC	The Dalles	OR	224	C3	V	106.9	42.0	358.1°	64.9
K224AT	Redmond	OR	224	D	L	24.1	0.0	174.7°	24.1
NEW	The Dalles	OR	224	C3	A	110.0	42.0	1.5°	68.0
NEW	The Dalles	OR	224	C3	A	113.4	42.0	354.0°	71.4
KKNU	Springfield-Eugene	OR	226	C	L	173.2	165.0	246.1°	8.2
KTWY	Walla Walla	WA	227	C1	L	276.3	200.0	57.0°	76.3
ALC	Condon	OR	228	A	V	100.3	72.0	47.9°	28.3
KPDQFM	Portland	OR	229	C	L	155.7	95.0	307.6°	60.7
K280BD	Prineville	OR	280	D	L	26.2	0.0	147.5°	26.2
ALC	Sisters	OR	281	C1	V	63.8	21.0	194.7°	42.8
KPXA	Sisters	OR	281	C1	A	63.8	21.0	194.7°	42.8
KPXA	Sisters	OR	281	A	C	64.3	10.0	213.6°	54.3

MADRAS BROADCASTING COUNTERPROPOSAL
ALLOTTMENT SITE TO MADRAS
July 15, 2000



Elevation values from:
3-second elevation data
30-meter elevation data

EXHIBIT 14
PREDICTED SIGNAL STRENGTH AT CENTRAL MADRAS
FROM COUNTERPROPOSAL ALLOTMENT SITE

COMPUTED FIELD VALUES - LONGLEY-RICE MODEL, VER 1.2.2

44:50:02.0N 120:45:55.0W MADRAS COUNTERPROPOSAL REFERENCE SITE

44:38:00.0N 121:07:42.0W MADRAS

36.383 km 232.353 deg True

Free Space Field (100.000 kW @ 36.38 km)	95.70 dBu
Additional estimated transmission loss	38.57 dB
Net received field	57.13 dBu

Mode of variability: 11 (Individual mode)
Confidence: 50.0% Reliability: 50.0%
Polarization: Horizontal; Frequency: 98.1000 MHz
Relative permittivity: 15.
Conductivity: .004
Climate: 5 (Continental temperate)
Sea level refractivity: 0.
Surface refractivity: 301.
Effective earth curvature: 1.333
Double-horizon path
Dominant mode: Diffraction
Profile: 1000 points; .036 km interval
Path terrain Delta-H: 299.4 m
Specified antenna heights: 60.0 m 9.0 m
Effective antenna heights: 118.1 m 9.0 m
Site elevations (MSL): 903.0 m 678.0 m

Notes:

1. 30 meter terrain data was employed in the Madras East and Madras West, Oregon, quadrangles, for greater accuracy near Madras. 3 second data was employed elsewhere.

2. No adjustment was made for clutter losses or vegetation losses.

CERTIFICATE OF SERVICE

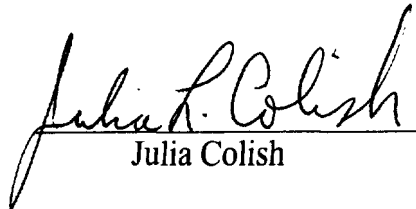
I, Julia Colish, a secretary with the law firm of Shaw Pittman, hereby certify that copies of the foregoing **"REPLY IN OPPOSITION TO COUNTERPROPOSAL OF MADRAS BROADCASTING"** were served via U.S. mail on this 25th day of July 2000 to the following:

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***Hand Delivery**